

REMARKS

In response to the Final Office Action mailed June 16, 2008, applicant's undersigned attorney conducted a telephone conference with the Examiner Lu to discuss the Final Office Action and, more specifically, the effectiveness of the filed 131 Affidavit to overcome the HBCI Home Banking Computer Interface publication (HBCI).

During the conference, it was pointed out to the Examiner that certified English translations of the German priority patent application No. 199 11 782.9 filed on March 17, 1999 and the evidence attached to the rule 131 application had been previously submitted and received by the U.S. Patent and Trademark Office on May 30, 2008 by electronic filing.

During the afore mentioned telephone conference the Examiner confirmed that the English translations had been received by the Patent and Trademark Office and that, evidently, the Final Office Action was mailed on June 16, 2008. The Examiner also indicated that the English translations of the certified document and the supporting evidence attached to the Rule 131 Affidavit would overcome the HBCI reference.

In the Office Action the priority document and the evidence attached to the Rule 131 Affidavit were not, as indicated, considered or taken into account. Therefore, it is respectfully requested that all of the objections/or rejections based on the HBCI reference be withdrawn. This includes the rejections of claims 1, 20-28, 30-31, 34, 36-37 on the basis of obviousness in view of Hultgren '391 Patent when combined with the HBCI reference.

With regard to the rejection of claim 38 as being anticipate by the Dennis '711 Patent, this rejection is respectfully traversed since Dennis does not teach the step of inserting a

communications gateway into a transmission path between the bank server and mobile station that carries out a transformation between the transmission method used at the bank end and a wireless transmission method used at the radiotelephone end. Claim 38 has been amended to require that the transformation performed by the communications gateway include a reduction of data transmitted to the mobile station. For this reason, as well, it is believed that claim 38 more clearly and patentably distinguishes over the Dennis reference.

Since the Office Action dated June 16, 2008 was issued after the filing of the English translations of the certified priority document and the evidence attached to the Rule 131 Affidavit, it is respectfully requested that the Final Office dated June 16, 2008 be withdrawn, as applicant has not have the benefit of the Office Action that reflected such earlier filing of the English translated materials. It is respectfully submitted, therefore, that the rejections are improper to not address the full record at the time of the issuance of the Office Action.

This application is now believed to be in condition for allowance. Early allowance and issuance is, accordingly, respectfully solicited.

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Respectfully submitted,

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